



Consumer Reports proposes to present to PrivacyCon its project on consumer tracking by large technology companies. This project is composed of two distinct parts: (1) an evaluation of historical data regarding consumers’ understanding, behavior, and attitudes on digital privacy and online tracking; and (2) a detailed assessment of current technical practices of large technology platforms to collect and use consumer data. The first section of this work is based on an assessment of surveys over the past two decades about consumer awareness of tracking technologies, attitudes about such tracking and the use of privacy protective tools. The second part of this work involves a comprehensive assessment of current methods of large technology companies to track consumers. However, since both components could stand alone, we would be glad to present only one part of this project if desired. Consumer Reports is a nonprofit organization dedicated to the unbiased and scientific evaluation of consumer goods and services. Since 1936, we have published a monthly periodical—and later, regular online content—that exhibits our research and informs consumers about a broad range of products.

Large-scale technology platforms—services such as Facebook, Twitter, and Google—mediate our lives by shaping our access to information. Globally, more than two billion people are active on Facebook,¹ Twitter has 330 million active users,² and Google Chrome commands 57 percent market share among browsers.³ According to the Pew Research Center, 67 percent of Americans get news on social media, including the 55 percent of American adults over 50.⁴ Together, Facebook and Google account for 60 percent of total advertising revenue in the US.⁵ Yet, as the recent events concerning Facebook and Cambridge Analytica reveal, we do not fully understand the data companies collect, how it is used, and how they keep it secure, much less the individual and societal impact of concentrating vast quantities of information within a handful of corporations. With the advent of connected products and services, we have, without explicit agreement or intent, lost control of our personal data.

Consumers understand they are subject to a wide variety of threats, including data breach, loss of ownership over their property, and manipulation by companies with ever-growing insight into

¹ *Number of daily active Facebook users worldwide as of 4th quarter 2017 (in millions)*, STATISTICA (2018), <https://www.statista.com/statistics/346167/facebook-global-dau/>.

² *Number of monthly active Twitter users worldwide from 1st quarter 2010 to 4th quarter 2017 (in millions)*, STATISTICA (2018), <https://www.statista.com/statistics/282087/number-of-monthly-active-twitter-users/>.

³ *Global market share held by leading internet browsers from January 2012 to February 2018*, STATISTICA (2018), <https://www.statista.com/statistics/268254/market-share-of-internet-browsers-worldwide-since-2009/>.

⁴ Elisa Shearer & Jeffrey Gottfried, *News Use Across Social Media Platforms 2017*, PEW RESEARCH CTR. (Sept. 7, 2017), <http://www.journalism.org/2017/09/07/news-use-across-social-media-platforms-2017/>.

⁵ *Why Google and Facebook Prove the Digital Ad Market is a Duopoly*, FORTUNE (July 28, 2017), <http://fortune.com/2017/07/28/google-facebook-digital-advertising/>.

our lives. Consumers value their ability to control and protect access to their personal information: according to a study from the Pew Research Center, “93% of adults say that being in control of *who* can get information about them is ‘important’; 74% feel this is ‘very important.’”⁶ According to a nationally representative survey of 1,007 adults conducted by Consumer Reports in April 2017, an overwhelming majority—92 percent of Americans—say internet companies and websites should be required to get their permission before selling or sharing their data with other companies.⁷ The same percentage believe internet companies and websites should be required to provide consumers with a complete list of the data they have collected about them, if asked. And 70 percent of Americans lack confidence that their personal data is private and safe from distribution without their knowledge.⁸ In an era of increasing inequality and corporate consolidation, unlimited data collection is felt to exacerbate our loss of control.

The first element of our research project is to develop a comprehensive, historical survey of the evolution of consumer understanding and attitudes toward of online tracking methods, as well as a 2019 nationwide survey to ascertain just how much consumers currently understand about how they are being tracked. Our historical research is based on a comprehensive review of surveys and studies over the last two decades. Our nationwide survey will assess current consumers attitudes and awareness of tracking technologies and privacy practices. We propose to present this information alone or in combination with information about how technology companies can and do track consumers. The second element of our project is a comprehensive review of how leading technology platforms can and do track consumers as they traverse the web. This presentation will cover:

- an assessment of the methods that 15 of the top tech platforms and service providers use to track individuals across the web;
- disclosures about tracking practices and self-imposed limitations on collection, sharing, use, or retention;
- what kind of information the platforms and service providers are able to capture using these methods;
- secondary inferences that can be made based on this data collection; and
- a description of the systems platforms and service providers disclose to provide enhanced privacy and security to consumers.

We believe that this research is complementary to the important work that the FTC has done to inform consumers about tracking through events like the 2015 Cross-Device Tracking Workshop, the 2017 Informational Injury workshop, and the FTC’s Hearings on Competition

⁶ Mary Madden & Lee Rainie, *Americans’ Views about Data Collection and Security*, PEW RESEARCH CTR. (May 20, 2015), <http://www.pewinternet.org/2015/05/20/americans-views-about-data-collection-and-security/>.

⁷ Bree Fowler, *Americans Want More Say in the Privacy of Personal Data*, CONSUMER REPORTS (May 18, 2017), <https://www.consumerreports.org/privacy/americans-want-more-say-in-privacy-of-personal-data/>.

⁸ *Id.*

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and Consumer Protection in the 21st Century, in addition to the Commission's enforcement actions. We hope our presentation will effectively describe how consumer understanding of online tracking technology has changed over time and the current state of consumer understanding of such tracking. However, Consumer Reports proposes to present on either or both of these elements of this project at PrivacyCon. This research was made possible by the support of the Alfred P. Sloan Foundation. Either presentation will serve to inform the FTC's audience about the following category: Quantifying Costs and Benefits of Privacy from a Consumer Perspective.